

**BEFORE THE BOARD OF DENTAL EXAMINERS
OF THE STATE OF IOWA**

IN THE MATTER OF:)	
RON M. HARSHMAN, D.D.S.)	
501 West Jackson)	
Centerville, IA 52544)	NOTICE OF HEARING
License #7127)	
Respondent)	

You are hereby notified that on December 20, 2001, the Board found probable cause to file a Statement of Charges against you. If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code chapters 17A, 147, 153, and 272C (2001), and 650 Iowa Administrative Code Chapter 51. A copy of the Statement of Charges is attached, and sets forth the particular statutes and rules which you are alleged to have violated, and further provides a short and plain statement of the matters asserted.

IT IS HEREBY ORDERED that a disciplinary contested case hearing be held upon the Statement of Charges on April 17, 2002, before the full Board or a panel of the Board. The hearing shall begin at 1:00 p.m. and shall be located in the 1st Floor Conference Room, Iowa Board of Dental Examiners at 400 SW 8th Street, Ste D, Des Moines, Iowa. The Board shall serve as presiding officer, but the Board may request an

Administrative Law Judge make initial rulings on prehearing matters, and be present to assist and advise the Board at hearing.

Within twenty (20) days of the date you are served with the Statement of Charges and Notice of Hearing, you are required by 650 Iowa Administrative Code 51.12(2) to file an Answer to the Charges. In that Answer, you should also state whether you will require an adjustment of the date and time of the hearing.

At hearing, you may appear personally or be represented by counsel at your own expense. You will be allowed the opportunity to respond to the Charges against you. The procedural rules governing the conduct of the hearing are found at 650 Iowa Administrative Code Chapter 51.

The office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Pleadings shall be filed with the Board and copies should be provided to counsel for the State at the following address:

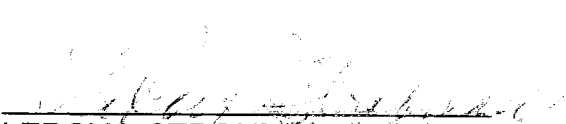
Theresa O'Connell Weeg
Assistant Attorney General
Iowa Attorney General's Office
2nd Floor, Hoover State Office Building
Des Moines, IA 50319
Phone (515) 281-6858

If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code section 17A.12(3) and 650 Iowa Administrative Code 51.22.

This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process is found at 650 Iowa Administrative Code 51.19.

If you are interested in pursuing settlement of this matter, please contact Constance L. Price, Executive Director, at 515-281-5157.

Dated this 20th day of December, 2001.



LEROY I. STROHMAN, D.D.S.
Chairperson
Iowa Board of Dental Examiners
400 SW 8th Street, Ste. D
Des Moines, IA 50309

cc: Theresa O'Connell Weeg
Assistant Attorney General
Office of the Attorney General
Hoover State Office Building
Des Moines, IA 50319

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Centerville, IA 52544)	STATEMENT OF CHARGES
License #7127)	
Respondent)	

- 1) The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 153 and 272C (2001).
- 2) On June 12, 1986, Ron M. Harshman, D.D.S., the Respondent, was issued license number 7127 by the Board to engage in the practice of dentistry, subject to the laws of the State of Iowa and the rules of the Board.
- 3) License number is current and on active status until June 30, 2002.

COUNT I

The Respondent is charged under Iowa Code Section 272C.10(4)(2001) and 650 Iowa Administrative Code Section 30.4(40) with habitual intoxication or addiction to the use of drugs.

COUNT II

The Respondent is charged under Iowa Code Section 153.34(15)(2001) with being unable to practice dentistry with reasonable skill and safety by reason of illness, drunkenness, or habitual use of drugs, intoxicants, narcotics, chemicals, or other types of materials, or as a result of a mental or physical condition.

COUNT III

The Respondent is charged under Iowa Code Section 153.34(4) (2001) for indiscriminately or promiscuously prescribing controlled substances in violation of 650 Iowa Administrative Code 30.4(18).

COUNT IV

The Respondent is charged under Iowa Code Section 153.34(4) (2001) with willfully or repeatedly violating a Board rule by failing to maintain records of controlled substance prescriptions pursuant to 650 IAC 27.11(1)(d)(5), and 16.2(3).

COUNT V

The Respondent is charged under Iowa Code Section 153.34(4) (2001) with willfully or repeatedly violating a Board rule by routinely prescribing, administering, or dispensing prescription drugs for purposes not related to the practice of dentistry, in violation of 650 IAC 16.2(1).

COUNT VI

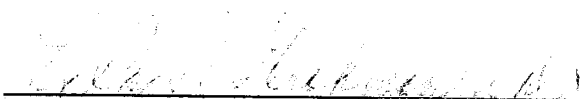
The Respondent is charged under Iowa Code Section 153.34(4) (2001) with willfully or repeatedly violating a Board rule by failing to maintain proper dispensing records and for failing to perform the inventory requirements of controlled substances, in violation of 650 IAC 16.3.

THE CIRCUMSTANCES

1. The Iowa Board of Dental Examiners received information alleging that Respondent has a chemical dependency problem.
2. Respondent admitted that he routinely prescribes controlled substances for purposes not related to the practice of dentistry.

3. Respondent admitted that he fails to keep written documentation of all controlled substances that he prescribes or dispenses.
4. Respondent admitted that he exceeded the recommended dosages in taking prescription pain medication prescribed to him.
5. A Board consultant reviewed eleven (11) patient records subpoenaed from Respondent's office and concluded that Respondent was not practicing to the standard of care in regards to the prescribing of narcotics. Consultant stated that Respondent over prescribed narcotics, failed to adequately record prescriptions, wrote prescriptions for medical conditions, and prescribed to people who were not patients of record.
6. Information obtained by the Iowa Board of Dental Examiners confirms Respondent has been abusing prescription medications.
7. Information obtained by the Iowa Board of Dental Examiners confirms Respondent is chemically dependent.

On this 20th day of December, 2001, the Iowa Board of Dental Examiners found probable cause to file this Statement of Charges and to order a hearing in this case.



LeRoy I Strohman, D.D.S., Chairperson
Iowa Board of Dental Examiners
400 SW 8th Street, Ste. D
Des Moines, IA 50309

cc: Theresa O'Connell Weeg
Assistant Attorney General
Office of the Attorney General
Hoover State Office Building
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